

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JAMES FERGUSON, individually and as the
personal representative of the ESTATE OF
ROSELYN FERGUSON,

Plaintiff,

vs.

WALMART STORES, INC.,

Defendants.

Case No. 2:13-cv-00517-JCM-GWF

ORDER

This matter comes before the Court on Plaintiff's Motion to Clarify (#37), filed on January 27, 2014. Defendant Wal-Mart filed a Notice of Non-Opposition (#38) on January 28, 2014. Plaintiff seeks clarification of this Court's December 3, 2013 Order (#34) granting Defendant BRR Architecture's Motion to Strike Complaint (#22).

BRR filed its Motion to Strike (#22) on October 22, 2013, which Plaintiff did not oppose. The Court heard and granted the Motion (#22) on December 2, 2013. *See Minutes of Proceedings, Doc. #33*. In its subsequent written Order (#34), the Court stated that "BRR Architecture, Inc.'s Motion to Strike Plaintiff's Amended Complaint (#22) is granted." Thereafter, the Clerk of the Court struck Plaintiff's Complaint in its entirety. Because the Motion to Strike (#22) was only as to BRR, however, Plaintiff now moves for a clarification of the Court's Order (#34) reinstating the Complaint (#14) as to all the other parties. There being no opposition and because the Court only struck those pleadings operative against BRR,

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1 **IT IS HEREBY ORDERED** that Plaintiff's Motion to Clarify Court's Order (#37) is
2 **granted.**

3 **IT IS FURTHER ORDERED** that Clerk of the Court shall reinstate Plaintiff's Amended
4 Complaint (#14) as to all parties except Defendant BRR Architecture, Inc.

5 DATED this 6th day of February, 2014.

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8 GEORGE FOLEY, JR.
9 United States Magistrate Judge
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